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## Topics

# Cool Heads

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### Wrong Time and Place

The Reagan Administration has not competed strenuously for First Amendment trophies. But it deserves points for prudence by rejecting, at least provisionally, a C.I.A. effort to make leaks of Government secrets a crime. Cooler heads decided that this is not a good time for that debate, nor is the agency's appropriation bill a good vehicle.

For one thing, the Justice Department is arguing in court that Congress *did* make leaking a crime — half a century ago in the espionage act. That's the basis of its case against Samuel Loring Morison, a Navy intelligence analyst accused of spying for giving photographs of a Soviet aircraft carrier to a British magazine. Until recently, the courts have found that the espionage laws cover only traditional spying and clandestine transmissions to a foreign power.

Justice deserves to lose that argument. Congress is the place to change the law. And as the C.I.A. might have learned, though Congress has repeatedly refused, the Republic stands.